

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LARRY NORTON,

Case No. 20-cv-1530 (DWF/TNL)

Plaintiff,

v.

ORDER

ISD 197, RON MONSON, and
MELISSA WEISS,

Defendants.

This action comes before the Court on Plaintiff Larry Norton's Application to Proceed Without Prepayment of Fees and Affidavit ("IFP Application"), ECF No. 4. For the following reasons, the Court orders Norton to provide a new IFP application that is both signed and completed. Alternatively, Norton may pay the \$400 filing fee.

The present IFP Application has two critical problems. First, it lacks significant amounts of information. Norton appears to have prepared the IFP Application electronically on a form template. *See* IFP Appl. 1–3. Answers appear to questions on page 1, but not to those on pages 2 or 3. *See id.* As the bulk of the questions are yes/no questions, Norton's failure to respond to these questions renders the information he did provide incomplete. Norton must provide a completed IFP application with all questions answered if the Court is to assess whether he merits IFP status.

Second, the IFP Application is not signed. There is a signature slot on page 3 of the form template, but it too is blank. Under Federal Rule of Civil Procedure 11(a), "[e]very pleading, written motion, and other paper must be signed by at least one attorney of record

in the attorney's name—or by a party personally if the party is unrepresented.” Furthermore, “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.”

Based on the foregoing, Norton's IFP Application, ECF No. 4, is **DENIED WITHOUT PREJUDICE**. Within 30 days from the date of this Order, Norton shall either (a) submit a new IFP application that is both signed and completed, or (b) pay the \$400 filing fee. Failure to do so will result in the Court recommending that this action be dismissed without prejudice under Federal Rule of Civil Procedure 41(a) for failure to prosecute.

SO ORDERED.

Date: August 25, 2020

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

Norton v. ISD 97 et al.
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